

BILL NO. Z-87- 25-38

ZONING MAP ORDINANCE NO. Z- 14-87

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. E-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a R-1 - Single Family Residential District
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

EXHIBIT "A"

Commencing at a point on the North line of the
Northeast quarter of Section 7, Township 30 North,
Range 12 East on the centerline of the Illinois Road,
1,449 feet East on the Northwest corner of said quarter
section; thence South a distance of 2,714 feet to a
point in the South line of said quarter section, which
point is 1,441.8 feet East of the Southwest corner of
said quarter section; thence East on the South line of
said quarter section 252-1/3 feet; thence North to a
point in the center of the Illinois Road 252-1/3 feet
East of the place of beginning; thence West on the
centerline of said Illinois Road 252-1/3 feet to the
place of beginning.

Excepting therefrom the North 1101.75 feet of the above
described parcel.

EXHIBIT "B"

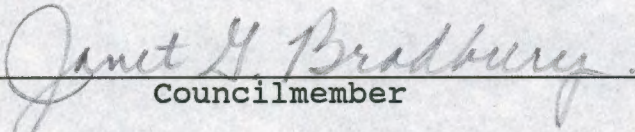
The East 20 rods of the following-described tract, viz:
Commencing at the intersection of the centerline of the
Illinois and Getz Road at the Northwest corner of the
Northeast Quarter of Section 7, Township 30 North of
Range 12 East; thence East along the centerline of the
Illinois Road, 1,449 feet to a point on the North line
of the Northeast Quarter of said Section, Township and
Range; thence South 2,338.5 feet to a point 375.5 feet
North of the South line of the Northeast Quarter of
said Section, Township and Range; thence West and
parallel to the South line of said Quarter Section,
1,441.8 feet to a point in the centerline of the Getz
Road at the point 375.5 feet North of the Southwest
corner of the Northeast Quarter of Section 7, Township
30 North of Range 12 East; thence North 2,316.8 feet
along the centerline of the Getz Road, to the place of
beginning.

Excepting therefrom, the North 1101.75 feet of the east
20 rods of the above described real estate.

and the symbols of the City of Fort Wayne Zoning Map No. E-

1 2, as established by Section 11 of Chapter 33 of the Code of
2 the City of Fort Wayne, Indiana are hereby changed
3 accordingly.

4 SECTION 2. That this Ordinance shall be in full force
5 and effect from and after its passage and approval by the
6 Mayor.

7 
Councilmember

8 APPROVED AS TO FORM AND LEGALITY:

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BRUCE O. BOXBERGER, CITY ATTORNEY

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Fox River Bond
25% COTTON

Read the first time in full and on motion by Bradbury,
seconded by Gadd, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ .M., E.S

DATE: 5-26-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury,
seconded by Bush, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	<u>✓</u>	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 7-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (~~APPROPRIATION~~) (~~GENERAL~~)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-14-87
on the 14th day of July, 1987,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 15th day of July, 1987,
at the hour of 11:30 o'clock A .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 16th day of July,
1987, at the hour of 9:00 o'clock A .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT NO. _____
DATE FILED _____
INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We City Plan Commission
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
Indiana, by reclassifying from a/an B-3-B District to a/an R-1
District the property described as follows:

SEE ATTACHED

(Legal Description) If additional space is needed, use reverse side.
ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

_____	_____	_____
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

EXHIBIT "A"

Commencing at a point on the North line of the Northeast quarter of Section 7, Township 30 North, Range 12 East on the centerline of the Illinois Road, 1,449 feet East of the Northwest corner of said quarter section; thence South a distance of 2,714 feet to a point in the South line of said quarter section, which point is 1,441.8 feet East of the Southwest corner of said quarter section; thence East on the South line of said quarter section 252-1/3 feet; thence North to a point in the center of the Illinois Road 252-1/3 feet East of the place of beginning; thence West on the centerline of said Illinois Road 252-1/3 feet to the place of beginning.

Excepting therefrom the North 1101.75 feet of the above described parcel.

EXHIBIT "B"

The East 20 rods of the following-described tract, viz: Commencing at the intersection of the centerline of the Illinois and Getz Road at the Northwest corner of the Northeast Quarter of Section 7, Township 30 North of Range 12 East; thence East along the centerline of the Illinois Road, 1,449 feet to a point on the North line of the Northeast Quarter of said Section, Township and Range; thence South 2,338.5 feet to a point 375.5 feet North of the South line of the Northeast Quarter of said Section, Township and Range; thence West and parallel to the South line of said Quarter Section, 1,441.8 feet to a point in the centerline of the Getz Road at the point 375.5 feet North of the Southwest corner of the Northeast Quarter of Section 7, Township 30 North of Range 12 East; thence North 2,316.8 feet along the centerline of the Getz Road, to the place of beginning.

Excepting therefrom, the North 1101.75 feet of the east 20 rods of the above described real estate.

B1B

R1

RA

SUB

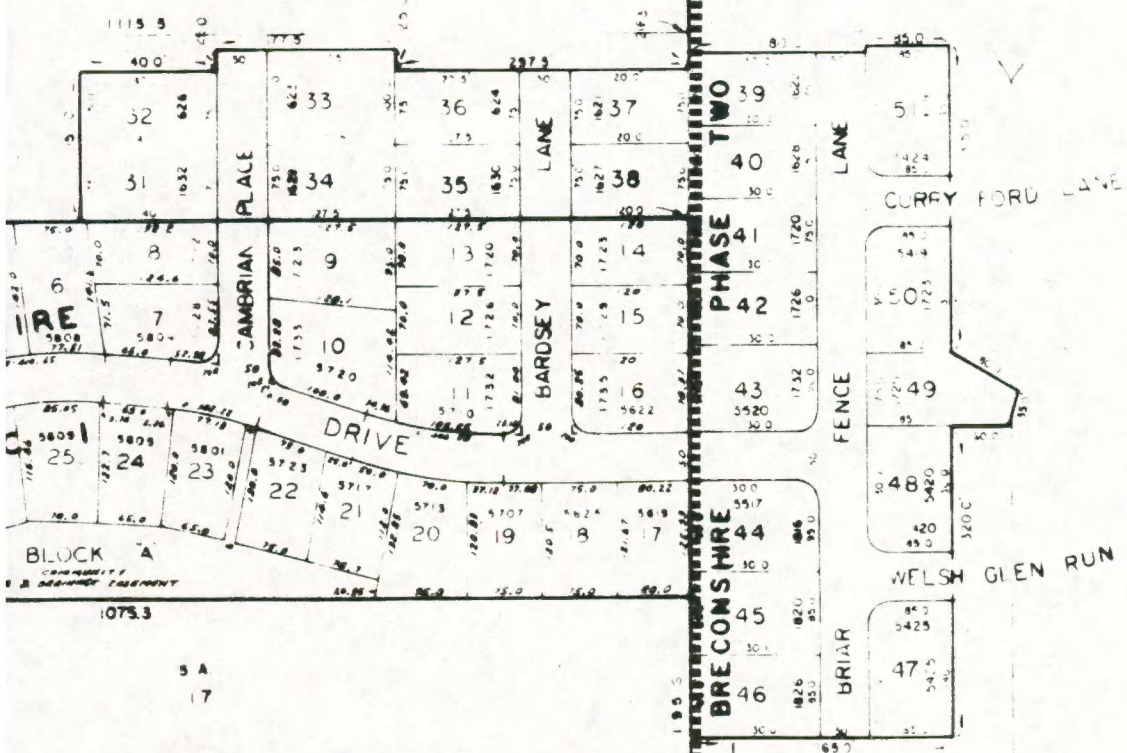
PARCEL B
EXEMPTION

PARCEL A
EXEMPTION

B3B

R1

R1



RA

RA

GARY: ↑
your legal for
down zoning.

WSD

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 26, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-05-38; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1987.

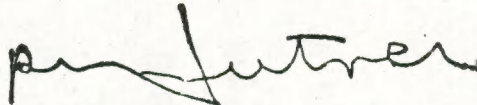
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 1, 1987.

Certified and signed this
15th day of June 1987.



Robert Hutner
Secretary

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. _____ **DIGEST SHEET**

ORIGINAL

Zoning Ordinance Amendment

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE _____ Land Use Management - CD&P

SYNOPSIS OF ORDINANCE _____ Approximately 18.65 acres lying to the east of
Getz Road and the rear of the O'Daniels Auto Dealership.

3-87-05-38

EFFECT OF PASSAGE _____ Property is presently zoned B-3-B - General Business
District. Property will become R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE _____ Property will remain B-3-B - General Business District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment
From B-3-B to R-1

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Approximately 18.65 A lying to the East of Getz Road and the rear of the O'Daniels's Auto Dealership.

Reason for Project

Downzoning from commercial to residential.

Discussion (Including relationship to other Council actions)

18 May 1987 - Public Hearing

V.C. Seth, Director of Planning for CD&P stated that the change of zone was being initiated by the Plan Commission. Mr. Seth stated that when O'Daniel's request came before the Commission for a change of zone they requested the rezoning for this southern portion as well as the northern portion of land. He stated that the Plan Commission recommended denial of the southern portion and approved the rezoning on the northern portion of land. He stated however that when the ordinance was forwarded to City Council the wrong legal description was submitted and the entire parcel was rezoned to commercial. He stated the Plan Commission is trying to correct that error with this request.

There was no one present to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) City Plan Commission City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

1 June 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present seven (7) voted in favor of approval one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 1 April 1987

Projected Completion or Occupancy

Date 15 June 1987

Fact Sheet Prepared by
Patricia Biancaniello

Date 15 June 1987

Reviewed by

Date

6/16/87

Reference or Case Number

BILL NO. Z-87-05-38

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of
Fort Wayne Zoning Map No. E-2

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION) Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 7-14-87

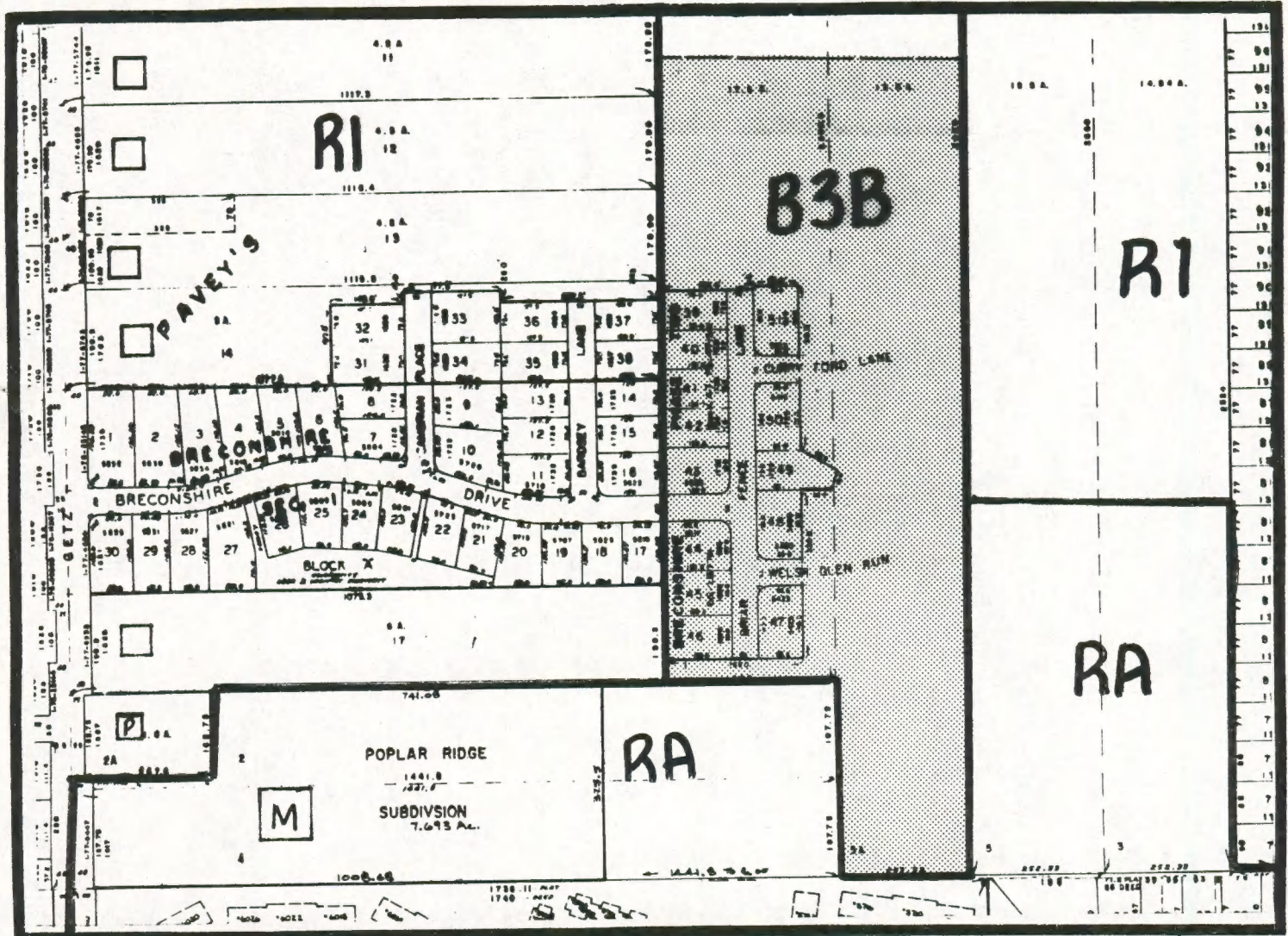
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION #268

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A B-3B DISTRICT TO AN R-1 DISTRICT.

MAP NO. E-2

COUNCILMANIC DISTRICT NO. 4



ZONING:

RI RESIDENTIAL DISTRICT
RA RESIDENCE 'A'
B3B LIMITED BUSINESS 'B'

LAND USE:

- ☐ SINGLE FAMILY
- ☒ MULTI-FAMILY
- ☐ COMMERCIAL
- ☐ PUBLIC-CHURCH

SCALE: 1" = 250'

DATE: 4-27-87

